



# Indian Program Newsletter

EPA - NEW ENGLAND, REGION 1

Summer 2002

for the New England Tribes

Aroostook Band of Micmacs  
Houlton Band of Maliseet Indians  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
Narragansett Indian Tribe  
Passamaquoddy Tribe of Indians, Pleasant Point Reservation (Sipayik)  
Passamaquoddy Tribe of Indians, Indian Township Reservation (Motahkmikuk)  
Penobscot Indian Nation (Burnurwurbskeak)  
Wampanoag Tribe of Gay Head (Aquinnah)  
Eastern Pequot Indians; Paucatuck Eastern Pequots

## Summer...

A time for reflection and growth.



This issue highlights conferences, new developments and upcoming events that may be of interest to the New England Tribes as EPA Region 1 strives to assist the Tribes in protecting human health and the environment.

We encourage feedback, suggestions and contributions from the Tribes concerning this information sharing forum. Please contact Eva Tasaki at:

[tasaki.eva@epa.gov](mailto:tasaki.eva@epa.gov) or (617)918-1678.

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## Recent Developments

### **New England now has a new federally recognized Tribe.**

In June 2002, the Eastern Pequot of Connecticut and the Paucatuck Eastern Pequot were recognized as one Tribe by the Bureau of Indian Affairs. This new status will give the combined Tribes access to new government benefits and economic opportunities.

For further information, please contact the following individuals: Tobias Glaza, Land Management Coordinator of the Eastern Pequot of Connecticut at: (860)535-1868 and Chief James A. Cunha, Jr. of the Paucatuck Eastern Pequot Tribal Office at: (860)572-9899.

### **Tribal Science Council:**

Consistent with the EPA Indian Policy and trust responsibility, the mission of the Tribal Science Council, initiated a year ago, is to provide a forum for interaction between Tribal and Agency representatives to work collaboratively on environmental scientific issues.

For more information, please call Robert Hillger (617)918-1071, Valerie Bataille (617)918-1674 or Dan Kusnierz (207)827-7361.

### **Legislative Update:**

On April 25, 2002, the Senate passed its energy bill by a vote of 88-11. Among many other issues (no drilling in Alaska's ANWR!), the bill addresses such issues as Global Climate Change and Energy Conservation with various tax credits for alternative energy development and use, including photovoltaic, fuel cell, biomass, geothermal and solar and wind energy, as well as alternative fuel motor vehicles.

In view of the discussion on energy at the NTEC/NTCEM conferences, it was noted that the western Tribes appear to be in an excellent position due to their locations on geothermal and very sunny and windy lands to develop most of the above listed alternative energy sources - and have indeed already begun doing so, e.g. the

Blackfeet windpower and the Navajo photovoltaics. Here in the east, we are proud of the Passamaquoddy Indian Township Tribe that has installed wind and solar energy to power its air mercury monitor and the Mohegan Tribe that has installed fuel cells on their property.

### **Decision Puts Water Quality in Tribe's Hands:**

According to Lee Bergquist of the Milwaukee "Journal Sentinel" of June 3, 2002, (Excerpt) "The U.S. Supreme Court let stand on Monday a lower court decision that gave the Sokaogon, or Mole Lake, the power to set water quality standards that are higher than those now promulgated by the State Department of Natural Resources.

Those standards mean that Nicolet Minerals Co. would have to return water from its proposed zinc and copper mine in Forest County at the same pristine quality as before it came into contact with the mine. Dale Alberts, president of Nicolet Minerals, said Monday the company could comply with stricter limits. Perhaps more significantly, the decision is likely to open the door for other Tribes to seek authority to regulate pollution on lakes, rivers and streams on their reservations - rather than rely on the DNR."

### **Colorado, Ute Tribe Ask Senate to Approve Pact to Share Responsibility on Reservation**

"The Senate Committee on Indian Affairs was asked July 18 by the Southern Ute Indian Tribe and the state of Colorado to allow them to jointly regulate air quality on the Ute reservation to resolve a legal conflict involving the Clean Air Act. At dispute is whether the state or the tribe has the authority to set and to enforce the air quality standards for those parts of the reservation owned by non-Indians or covered by national forest land.

All parties have agreed to compromise and to share authority to avoid lawsuits, according to statements made to the committee.

Under the proposal (S. 2065) before the Senate committee, "a joint commission has been created composed of six members, three of whom are appointed by the Governor and three of whom are appointed by the Tribal Council," Ute Tribe Chairman Leonard Burch explained to the committee. That commission will determine the air quality programs and standards on the reservation and will conduct administrative hearings to enforce compliance with those regulations, Burch added."

By Thomas.V Carrow

## National News

### AIEO has a new Director,

Carol J. Jorgensen from the Tlingit Tribe in Southeastern Alaska. Her previous experience



includes ten years as Subsistence Coordinator, District Ranger, Forest Supervisor and National Tribal Program Manager with the Forest Service, USDA. She has also held various positions overseas in the Foreign Service and in the American Embassies. Other positions were Deputy Director for Alaska Department of Fish and Game, District Sales Manager based in New York and Executive Director of the Arctic Marine Resources Commission, Grand President of the

Alaska Native Sisterhood, and Vice-President of the Native American Fish and Wildlife Society.

Ms. Jorgensen states that "if there is anything that our people know, love, and understand, it is the natural resources of the land, the water, the environment and the sustainability and health to which we as Indian/Alaska Native people are so connected. As the original stewards of the land we have so much at stake and need to ensure everyone joins us in our commitment to Mother Earth."

For more information, please access the website: <http://www.epa.gov/indian>

## NTEC/NTCEM Brief

The National Tribal Environmental Council 9<sup>th</sup> Annual National Conference and the 6<sup>th</sup> National Tribal Conference on Environmental Management were co-located in Sparks, Nevada on June 2 - 7, 2002 and were attended by approximately 300 Tribal members with participants totaling approximately 700.

### "Whitman: 'EPA needs to do more' to help protect Indian lands:

The chief of the U.S. Environmental Protection Agency told tribal leaders Wednesday that she's proud of her agency's progress tackling pollution on Indian lands but admitted it's 'all too apparent that EPA needs to do more.'

'For tribes, clean water often means providing basic sanitation that most of America takes for granted,' EPA Administrator Christie Whitman said in a speech to about 500 representatives at the 6th National Tribal Conference on Environmental Management.

'Today, there are 1,100 open dumps in Indian country and only about one out of 10 tribes have developed solid waste management programs to date,' she said. 'Eighty-three tribes are in areas with air pollution problems', she said.

'I do not have to tell you how much work there is to be done. The evidence is all too

apparent that EPA needs to do more. You wouldn't all be here if it wasn't apparent. But the good news is that we are making progress.'

Whitman presented leaders of the Swinomish Indian Tribal Community of Washington state with a \$1.2 million research grant to study exposure to contaminants from eating shellfish. She said it is the biggest EPA research grant ever given to a tribe.

'This is what really matters, where we start to put our money where our mouth is,' Whitman told the conference at John Ascuaga's Nugget hotel and casino near Reno.

'Despite possible cutbacks in funding for many federal agencies, we were able to protect EPA's resources designated for tribal programs in President Bush's budget request for fiscal year 2003', she said.

'We have all been entrusted with the stewardship of this shared planet and it is our responsibility to leave it cleaner for our children and grandchildren,' Whitman said.

'For EPA's overall tribal programs, Bush has requested \$232 million - a six-fold increase in spending since 1994', said Diane Regas, acting assistant administrator of the EPA Office of Water.

'Tribal water programs have increased from \$8 million to \$37 million during that period, and EPA spending on water and waste water infrastructure has risen from \$6 million to \$70 million', she said.

'But we don't think we've done enough yet,' Regas said. 'This conference helps us know where to go next.'

'Less than 30 percent of (Indian) households have access to safe drinking water while it's 90 percent for the rest of the population,' she said.

'The tribes want an additional \$40 million in infrastructure spending in fiscal year 2004', Regas said. She said that plea would have to be heard at the White House level as well as at the EPA.

Watchman-Moore said that kind of investment is needed quickly to begin making progress toward the \$400 million in needs.

Regas said water and waste water needs nationally, including tribal and non-tribal, are estimated as high as \$1 trillion.

'The tribal needs are pressing. There are special considerations with respect to tribes because of the low income levels and the EPA is committed to addressing that,' Regas said."

## Regional News

### **"We're hoping to gain respect"- Maine Tribes march 33 miles to Augusta to protest erosion of tribal sovereignty.**

"The Penobscot and Passamaquoddy Tribes were taken to court and in November 2000, and



Penobscot Governor Dana, and Passamaquoddy Governors Doyle and Stevens were arrested for refusing to comply with Justice Robert Crowley's order requiring them to turn over (the) documents to the paper companies. The tribal leaders appealed, thereby avoiding going to jail and having to pay a \$1,000-a-day fine while the matter worked its way through the courts.

In May 2002, Governors Barry Dana and Richard Doyle of the Passamaquoddy Tribe of Indians at Pleasant Point ) led a band of 30



marchers. Following the rally the Tribes intended to comply, under protest, with a Maine Superior Court order to turn over (the) Tribal documents that had been demanded by two Maine paper companies under the state's freedom of information law. The delivery was to take place at the Natural Resources Council of Maine office in Augusta.

'By doing the march in a peaceful way, and complying with the court order, we're hoping to gain respect,' said Penobscot Chief Barry Dana. 'The 1724 Norridgewock massacre was a disaster for our people. (At the site of the 1724 massacre where the march started in the early morning, a French Jesuit priest and 80 Indians were killed in a surprise attack by English settlers.) This request for documents is a disaster for our people. It's an attack on our sovereignty and the judge's order that we deliver these documents or go to jail, absolutely, is an erosion of that sovereignty.'"

### **Gordon's Island (Bear Island) Returned**



On May 21, according to Passamaquoddy Indian Township Report from the Office of Tribal Governor Richard Stevens (excerpt), the deed to the island of the Bear Clan, Muwinwi Monihq, also known as Gordon's Island, was (to be)

turned over to the Tribal Governor by DOMTAR, owners of former Georgia Pacific. The island consists of 26 acres, and was the burial site of numerous Tribal members who were infected with smallpox and went there to die to stop the rate of infection.

"The gift", according to American Indian Report of July 2002, "unprecedented in Maine, fertilized hopes for a new era - for what Tribal leaders and corporate executives called 'a new beginning' in a 'mutually beneficial relationship'."

### **Nomans Island Cleanup**

(From a July 3, 2002 News Headlines article in the Martha's Vineyard Times: "Nomans Cleanup Fuels Questions Over Future" by Sara Schapiro)

"...the Navy's decision to stop using the small island southwest of Aquinnah as a target range and create a bird and wildlife sanctuary instead has not quieted debate about its future."

"The Wampanoag Tribe of Gay Head (Aquinnah), which claims rights to the island, insists that recent studies have shown that the limited environmental cleanup was insufficient. The tribe, citing environmental risks to the Vineyard community, has pressed for a more extensive cleanup and a supervisory management role over the island. The town of Chilmark, which also claims ownership of Nomans Land, and island conservationists are against any further cleanup that would make the island safe for human visitation. Chilmark officials say stewardship of the 628-acre island should remain the responsibility of the U.S. Fish and Wildlife Service (USFWS)." ... "the municipal status of the island was in question until 1714 when the island was annexed as part of the Chilmark township. After the Navy ended its use of Nomans in 1996, Chilmark turned the island over to the USFWS in 1998. During this process, the tribe petitioned the federal government for ownership of Nomans, claiming ancestral rights. ...In a press release, Tribe chairman Beverly Wright said Nomans, or 'Tequenomans Island Reserve', as she called it,

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‘was traditionally a summer settlement for the Wampanoags from Martha’s Vineyard and is thought to be named after an important sachem from Martha’s Vineyard, Tequenomans, who held jurisdiction over the small island at the time of English contact’. Ms. Wright requested that the tribe secure the right to manage Nomans ‘for the sole and exclusive purposes of preservation, protection, restoration of its archaeological, historical and environmental resources, with related cultural and educational use’.”

...“according to Bud Oliveira, USFWS refuge manager for Nomans, (USFWS) ‘relies on scientific data, not supposition or hearsay. If the date shows a cleanup is warranted, we’re all for it’, Mr. Oliveira said. Regarding the tribe’s petition to manage a portion of the island, Mr. Oliveira said he is certain it will not happen. ‘All I can tell you is that we don’t give away national wildlife refuges’, he said.”

For more information, please access [www.mvtimes.com](http://www.mvtimes.com)

## Meetings/Workgroups 2002

The U.S. Commission on Ocean Policy will hold its seventh regional meeting to hear and discuss coastal issues of concern to the Northeast Region from New Jersey to Maine. Dates: July 23, 2002 from 12:30 pm to 6:00 pm, July 24, 2002 from 8:30 am to 6:00 pm at Historic Faneuil Hall in Boston. Presentations by representatives of local and regional government or non-government organizations are requested to submit their statements for the record electronically by July 15, 2002. Contact Terry Schaff (202)418-3442 or [schaff@oceancommission.gov](mailto:schaff@oceancommission.gov)

## Announcements

Community-based energy grants announced by North American environmental commission

Montreal, 24 July 2002 -- Promotion of solar coffee dryers in rural Mexico, wind power in Canada and energy efficiency in the United States will be supported by grants announced today by

the Commission for Environmental Cooperation (CEC) of North America.

These projects are among sixteen community-based environmental grants awarded by the North American Fund for Environmental Cooperation (NAFEC) to nongovernmental organizations in Canada, Mexico and the United States.

For more information about NAFEC, please visit: [www.cec.org/grants](http://www.cec.org/grants)

## Grants and Grant Writing Assistance

Applications for FY02 funding are being processed and awarded now. If you have not submitted your Quality management Plans and FY 02 applications, they are overdue. Please submit them as soon as possible.

Please call Jean Crocker (617) 918-1498, or email: [crocker.jean@epa.gov](mailto:crocker.jean@epa.gov) with any questions about grants or grant programs.

## Learning Links

<http://www.epa.gov/ne/govt/tribes/index.html> and [www.epa.gov](http://www.epa.gov) (We strive to continually update resource sites and links and welcome suggestions for additional informative websites).  
[www.etmdtraining.net](http://www.etmdtraining.net)  
[www.npic.orst.edu](http://www.npic.orst.edu)  
[www.americanindianreport.com](http://www.americanindianreport.com)  
[www.falmouthinstitute.com](http://www.falmouthinstitute.com)

## Recent and Upcoming Events

1. NAF&WS Environmental Awareness Summer Youth Practicum, July 7 - 12, 2002, Swannanoa, N.C.
2. Summer Institute for Teachers at Mashantucket Pequot Museum, July 15 - 17, 2002, Ledyard, CT.

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3. National Native American Graves Protection & Repatriation Act (NAGPRA) Program, July 18, Albuquerque, NM.
  4. EPA's Advanced Inspector Training, National Enforcement Training Institute (NETI), July 30 - August 1, 2002, Lakewood, Colorado.
  5. The Boston TEE (Total Environmental Education Party). The North American Association for Environmental Education, August 6 - 10, 2002, Boston, MA
  6. EPA's National Center for Environmental Economics (NCEE), August 12, Washington, D.C.
  7. Water Quality Standards Academy for Indian Tribes, August 12 - 16, Oklahoma City, OK
  8. Emergency Management Framework for Tribal Government (FEMA), August 12 - 16, Emmitsburg, MD
  9. National American Indian Advisory Council (AIAC) Meeting, August 13 - 15, Washington, D.C.
  10. Fundamentals of Environmental Justice, (NETI), August 27, 28, 2002, Washington, D.C.
  11. Native American Fish & Wildlife Society Northeast Region Conference, August 19 - 21, Jackman, ME
  12. Healing Our Spirit Worldwide, The Fourth Gathering, September 2 - 6, Albuquerque, MN.
  13. Firewise Communities National Workshop for Indian Country, Working to Make our Homes Safer from Wildfires, September 10 - 12, Santa Ana Pueblo, NM.
  14. Water Quality and Pesticides Management Workshop, September 10 - 12, Worley, ID
  15. National Forum on Contaminants in Fish, October 20 - 22, Burlington, VT
  16. Freedom of Information Act 2002 National Conference, October 29 - 31, 2002, Atlanta Georgia
  17. FEMA Emergency Management Training for All Tribal Leaders, August 12 - 16, 2002 and also March 17 - 21, 2003 and August 4 - 8, 2003, Emmitsburg, Maryland
  18. The National Environmental Training Center for Small Communities (NCSC), has developed three comprehensive training packages for those working in the solid waste field. Reducing Commercial and Industrial Solid Waste; Economics and Marketing of Recyclables; and Managing Groups and Conflict for Solid Waste Officials. For information, please call Craig Mains at (800)624-8301
  19. New Underground Storage Tank Materials, Copies of (1) List of Known Insurance Providers for USTs, (2) UST Program Directory, and (3) Catalogue of EPA Materials on USTs are free of charge. Please call (800)-490-9198 or (800)424-9346.
- For additional seminars and training conferences please refer to [www.etmdtraining.net](http://www.etmdtraining.net) and [www.epa.gov/compliance/training/neti](http://www.epa.gov/compliance/training/neti) (CD-ROM courses available for free) The Falmouth Institute website is: [www.falmouthinstitute.com](http://www.falmouthinstitute.com)